

Remarks

This Amendment After Final is in response to the Final Office Action dated **January 8, 2007**. In the Final Office Action, claims 1-9, 11-17, 20 and 22 were rejected under 35 USC §102(e) as being anticipated by Myler et al. (5,474,563) and claims 1-9, 11-17, 20 and 22 were rejected under 35 USC §102(e) as being anticipated by Braunschweiler et al. (5,484,444).

For reasons presented herein, Applicant has traversed the rejections and asserts that the claims are in condition for allowance.

The following comments are presented in the same order, with section headings, as the Office Action.

35 USC §102 – Myler

In the Final Office Action, claims 1-9, 11-17, 20 and 22 were rejected under 35 USC §102(e) as being anticipated by Myler et al. (5,474,563).

To further prosecution, Applicant has amended instant independent claims 1, 12 and 20 to recite “the sheath having a ring, the ring forming a distal end of the sheath, the ring assisting in the compression of the stent to the compact transport form from a partially deployed form.” In Myler, the tubular body 52 does not have a ring that assists in the compression of the stent to the compact transport form from a partially deployed form. Therefore, Myler does not teach all the elements recited in instant independent claims 1, 12 and 20, from which claims 2-9, 11, 13-17 and 22 depend.

Applicant requests withdrawal of the rejection and asserts that claims 1-9, 11-17,

20 and 22 are in condition for allowance.

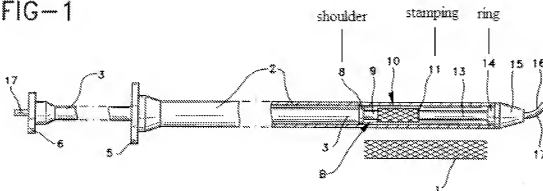
35 USC §102 – Braunschweiler

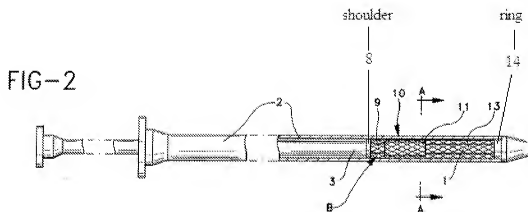
In the Final Office Action, claims 1-9, 11-17, 20 and 22 were rejected under 35 USC §102(e) as being anticipated by Braunschweiler et al. (5,484,444).

To further prosecution, Applicant has amended independent claims 1, 12 to recite “at least two rings attached to and extending from said inner core and engaging the inner surface of the stent,” and “at least two rings engaged to and extending from the core to engage the inner surface of the stent,” respectively. Independent claim 20 recites “the catheter having an exterior sheath, with a stent in a compact form ... that underlies the sheath and overlies at least two rings.”

The Office Action asserts that Braunschweiler discloses a “deployment means in the form of core 3, 13 having enlarged rings 8, 11 and 14 which are larger in diameter than the inner diameter of the stent.” For reference, Applicant has provided Figs. 1 and 2 of Braunschweiler below. Figure 1 is provided to show the positions of shoulder 8 and ring 14, which are not labeled in Fig. 2 which shows the endoprosthesis on the catheter.

FIG-1





Applicant disagrees that stamping 11 is a ring. However, even if stamping 11 is considered to be a ring, Braunschweiler does not teach all the elements of independent claims 1, 12 and 20. As shown in Fig. 2 above, the endoprosthesis is next to shoulder 8 and ring 14, not overlying either shoulder 8 or ring 14, as recited in independent claim 20. Because the endoprosthesis is not overlying either shoulder 8 or ring 14, Braunschweiler does not teach or suggest at least two rings engaging the inner surface of the stent in its compact condition as recited in independent claims 1 and 12.

For at least this reason, Applicant requests withdrawal of the rejection and asserts that claims 1-9, 11-17, 20 and 22 are in condition for allowance.

Conclusion

Based on at least the above, Applicant respectfully submits that this application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-9, 11-17, 20 and 22 is requested.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: March 8, 2007

By: / Jennifer L. Buss /
Jennifer L. Buss
Registration No.: 57321

6109 Blue Circle Drive, Suite 2000
Minnetonka, MN 55343-9185
Telephone: (952) 563-3000
Facsimile: (952) 563-3001